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ATTORNEY DOCKET NO. 1414.0553U2 JAN 31 2002

TECH CENTER PATENT 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
OBERSTE et al. ) Group Art Unit: UNASSIGNED  
Serial No. 09/937,862 ) Examiner: UNASSIGNED  
Filed: SEPTEMBER 28, 2001 )  
For: TYPING OF HUMAN ENTEROVIRUSES )

REVOCATION AND SUBSTITUTE POWER OF ATTORNEY

Commissioner for Patents  
Washington, D.C. 20231

The Government of the United States of America, as represented by the Secretary, Department of Health and Human Services Centers for Disease Control and Prevention Technology Transfer Office 1600 Clifton Road, MS E-67 Atlanta, Georgia 30333

Sir:

The Government of the United States of America, as represented by the Secretary, Department of Health and Human Services, Centers for Disease Control and Prevention, is owner of the above-identified patent application, as evidenced by the attached copy of an Assignment from Steven Oberste, Kaija Maher, David R. Kilpatrick, and Mark A. Pallansch to the Government of the United States of America, as represented by the Secretary, Department of Health and Human Services, Centers for Disease Control and Prevention, which Assignment has been submitted to the United States Patent and Trademark Office for recordation.

ATTORNEY DOCKET NO. 14114.0353U2  
SERIAL NO. 09/937,862

As a representative authorized to act on behalf of the Centers for Disease Control and Prevention, I hereby revoke all powers of attorney heretofore given and grant power of attorney to



23859

PATENT TRADEMARK OFFICE

to represent the Centers for Disease Control and Prevention in connection with all matters pertaining to the above-referenced application, with full power of substitution, association and revocation, to prosecute said application and to transact all business in the U.S. Patent and Trademark Office connected herewith.

I further grant an Associate Power of Attorney to:

|                    |                 |
|--------------------|-----------------|
| Russ P. Metler     | Reg. No. 45,365 |
| Jacqueline A. Quay | Reg. No. 47,011 |
| Andrew Watkins     | Reg. No. 38,653 |

to represent the Centers for Disease Control and Prevention in connection with all matters pertaining to the above-referenced application, to prosecute said application and to transact all business in the U.S. Patent and Trademark Office connected herewith.

Address all telephone calls to Mary L. Miller, Ph.D., at telephone number (404) 688-0770.

Address all correspondence to:

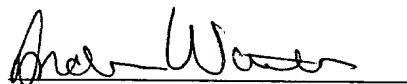
Mary L. Miller, Ph.D.  
NEEDLE & ROSENBERG, P.C.  
Suite 1200, The Candler Building  
127 Peachtree Street, N.E.  
Atlanta, Georgia 30303-1811

ATTORNEY DOCKET NO. 14114.0353U2  
SERIAL NO. 09/937,862

The Centers for Disease Control and Prevention, Technology Transfer Office, has been duly delegated responsibility for such patent matters under the authority of the memorandum dated January 31, 1997, from Donna E. Shalala, the Secretary of the Department of Health and Human Services, delegating the authority to the Heads of the Public Health Service Operating Divisions, as well as a memorandum dated October 12, 2000, from Jeffrey P. Koplan, M.D., M.P.H., the Director of the Centers for Disease Control and Prevention (who is a Head of a Public Health Service Operation Division), delegating authority to sign this Power of Attorney to the Associate Director for Science and the Director of the Technology Transfer Office of the Centers for Disease Control and Prevention. The undersigned is authorized to exercise such authority in this manner.

Executed on November 30, 2001, at Atlanta, Georgia

UNITED STATES DEPARTMENT OF  
HEALTH AND HUMAN SERVICES



Andrew Watkins  
Director, Technology Transfer Office  
Centers for Disease Control and Prevention (CDC)  
1600 Clifton Road, N.E., MS E-67  
Atlanta, Georgia 30333  
(404) 639-6270

**ASSIGNMENT**

**WHEREAS**, we, OBERSTE, Steven, MAHER, Kaija, KILPATRICK, David, and PALLANSCH, Mark A., employees of the Department of Health and Human Services, Centers for Disease Control and Prevention, at the time this invention was made, have invented "**TYPING OF HUMAN ENTEROVIRUSES**," for which we have made application for Letters Patent of the United States, Serial No. 09/1937,862, filed 28 Sept 2001, International Patent Application Number PCT/US00/07828, filed March 24, 2000 and U.S. Provisional Application Serial No. 60/127,464, filed March 31, 1999; and

**WHEREAS**, we are the applicants named in the above-identified applications for Letters Patent; and

**WHEREAS**, the conditions under which said invention was made are such as to entitle **THE UNITED STATES OF AMERICA** [hereinafter **THE GOVERNMENT**] under Paragraph 1(a) of Executive Order 10096 to the entire right, title, and interest herein, both domestic and foreign; and

**WHEREAS, THE GOVERNMENT** is desirous of acquiring all domestic and foreign right, title, and interest in the above-mentioned invention described in the application(s) for Letters Patent; and

**NOW, THEREFORE**, for good and valuable consideration, the receipt of which is hereby acknowledged, we hereby assign and transfer to **THE GOVERNMENT**, as represented by the Secretary, Department of Health and Human Services, Centers for Disease Control and Prevention, the full and exclusive rights in and to said invention in the United States and within each and every foreign country in which **THE GOVERNMENT** elects to file and the entire right, title, and interest in and to such application, and any subsequent application claiming priority to the above-identified application under 35 U.S.C. § 119(e), continuation,

continuation-in-part, division, reissue, reexamination, or extension thereof, and including priority rights as may be filed in the United States and foreign countries, and such Letters Patent as may be granted to be held by **THE GOVERNMENT** to the end of the term for which the same would have been held by the inventors had this assignment not been made.

We further agree to make, execute, and deliver to the Secretary, Department of Health and Human Services, Centers for Disease Control and Prevention, upon request, any and all papers, documents, affidavits, or other instruments that may be necessary in the prosecution of any application or applications for improvements or reissues of Letters Patent, and to assist **THE GOVERNMENT** in every way as may be requested in protecting said invention, provided that any expense of extending such assistance shall be paid by **THE GOVERNMENT**.

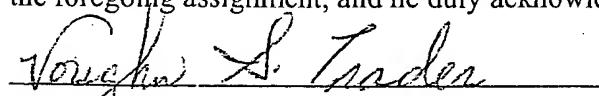
We also authorize patent counsel for **THE GOVERNMENT** to enter the above serial number and filing date of the presently pending patent application when this information becomes available.

IN WITNESS WHEREOF, I have executed this Assignment this 25 day of September, 2001.

  
STEVEN OBERSTE (L.S.)

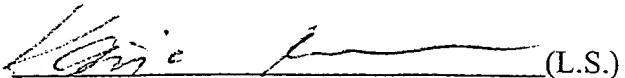
State of Georgia  
County of DeKalb

On this 25<sup>th</sup> day of September, 2001, before me, a Notary Public, came STEVEN OBERSTE, to me known and known to be the individual described in and who executed the foregoing assignment, and he duly acknowledged the same to be his free act and deed.

  
Vouchon S. Tabor  
Notary Public

My Commission Expires: Notary Public, Gwinnett County, Georgia  
Commission Expires Jan. 9, 2002

IN WITNESS WHEREOF, I have executed this Assignment this 25 day of  
September, 2001.

  
(L.S.)  
KAIJA MAHER

State of Georgia  
County of DeKalb

On this 25<sup>th</sup> day of September, 2001, before me, a Notary Public, came KAIJA MAHER, to me known and known to be the individual described in and who executed the foregoing assignment, and he/she duly acknowledged the same to be his/her free act and deed.

  
Vaughn S. Tader  
Notary Public

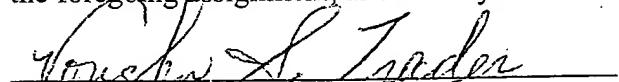
My Commission Expires: Notary Public, Gwinnett County, Georgia  
My Commission Expires Jan. 9, 2002

IN WITNESS WHEREOF, I have executed this Assignment this 25 day of  
September, 2001.

  
(L.S.)  
DAVID KILPATRICK

State of Georgia  
County of DeKalb

On this 25<sup>th</sup> day of September, 2001, before me, a Notary Public, came DAVID KILPATRICK, to me known and known to be the individual described in and who executed the foregoing assignment, and he duly acknowledged the same to be his free act and deed.

  
Vaughn S. Tader  
Notary Public

My Commission Expires: Notary Public, Gwinnett County, Georgia  
My Commission Expires Jan. 9, 2002

IN WITNESS WHEREOF, I have executed this Assignment this 25 day of  
September, 2001.

  
(L.S.)  
MARK A. PALLANSCH

State of Georgia  
County of DeKalb

On this 25<sup>th</sup> day of September, 2001, before me, a Notary Public, came  
MARK A. PALLANSCH, to me known and known to be the individual described in and who  
executed the foregoing assignment, and he duly acknowledged the same to be his free act and deed.

  
Vaughn S. Trader  
Notary Public

My Commission Expires: Notary Public, Gwinnett County, Georgia  
My Commission Expires Jan. 9, 2001